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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/063,898	05/22/2002	Chang-Yi Cheng	IACP0001USA	2382

27765 7590 07/28/2004

NAIPO (NORTH AMERICA INTERNATIONAL PATENT OFFICE)
P.O. BOX 506
MERRIFIELD, VA 22116

EXAMINER

DANG, KHANH NMN

ART UNIT PAPER NUMBER

2111

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/063,898	Applicant(s) CHENG, CHANG-YI	
	Examiner Khanh Dang	Art Unit 2111	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gorsuch.

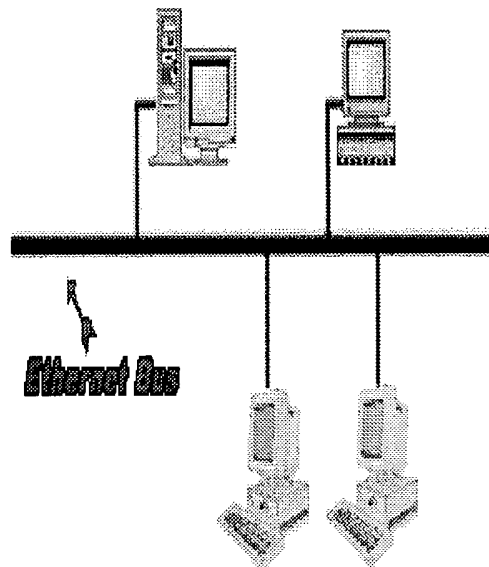
With regard to claim 1, Gorsuch discloses an interface card (101, Fig. 6, column 9, lines 34-36) used on a computer (110), the computer (110) comprising a housing and a first connection port positioned on the housing (it is clearly inherent that the laptop 110 comprises a laptop housing and a "first connector" or a slot for receiving the PCMCIA card 101), the interface card (101) comprising: a second connection port (it is clearly inherent that the card 101 must have a "second port" or PCMCIA interface 120 so that it may be plugged into the "first connector" or slot of the laptop 110) separably connected to the first connection port for receiving data transmitted from the computer (laptop 110); an access control circuit (protocol converting means including WLAN protocol convert 230) electrically connected to the second connection port (120) for converting the data transmitted from the second connection port (120) into first format data and second format data; a wireless transmission module (802.11 transceiver 240) electrically connected to the access circuit for modulating the first format data

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into a transmission signal; and a network connection module comprising: an antenna circuit (including 150) connected to the wireless transmission module (240) for converting the transmission signal into a first network signal transmitted via wireless transmission so that the first network signal is transmitted to a wireless network system. Gorsuch also discloses the use of another or second wireless connecting circuit (140, for example) connected to the protocol converting means including the protocol convert (130) for converting the second wireless format into a network signal.

Gorsuch does not disclose the use of a wired second network via an Ethernet CSMA/CD LAN protocol such as the IEEE 802.03 (as specifically claimed in claim 9). Instead, in Gorsuch, the second network is wireless CDMA.

However, the use of wired Ethernet LAN protocol is old and well-known as the de-facto hardware standard for local area networks. Ethernet (Version 2) and the very similar IEEE 802.3 standard define the physical and link layers of carrier sense multiple access/collision detection (CSMA/CD) LANs.



It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Gorsuch with a second wired network such the well-known Ethernet LAN, since the Examiner takes Official Notice that wired Ethernet LAN is old and well-known as evidenced by “Ethernet Local Area Networks” cited below as relevant art; and replacing the wireless CDMA network a wired Ethernet CSMA LAN only involves ordinary skill in the art. With regard to claims 2 and 3, it is first noted that it has been held that the recitation that an element is “capable of” performing a function is not a positive limitation but only requires the ability to so perform. In re Hutchison, 69 USPQ 138. In any event, it is clear that in any network protocol, the receiving signals, from either wireless or wired protocol, must be demodulated into network packet data. With regard to claim 4, it is clear that the PCMCIA card of Gorsuch must be in full compliance with the PCMCIA standard. Thus, identification information (ID) needed for configuration of the card must be stored, and it is inherent that such information must be stored in a volatile memory so that data will be preserved when the power is off. See PC Card Technology Primer by PCMCIA.ORG, Card Information Structure (CIS), page 4; and Detailed Overview of the PC Card Standard by PCMCIA.ORG, Metaformat specification, pages 6-7. With regard to claim 5, it is clearly inherent that the protocol converter of Gorsuch, as any conventional protocol converter, comprises a volatile memory or RAM to temporary store data while the protocol converter is working. With regard to claim 7, it is clear that the “antenna circuit” of Gorsuch can be separated from the connection module. With regard to claim 8, it is clear that in Gorsuch, (207/230)

is IEEE 802.11 compliant. With regard to claim 9, see above discussion regarding to claim 1. With regard to claims 10 and 11, in Gorsuch as well as in any network protocol, data is transferred in packets, wherein each packet comprises a header specifying address information (in the instant case the address of the PCMCIA card of Gorsuch, and a payload.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gorsuch as applied to claims 1-11 above, and further in view of the following.

The further difference between the claimed subject matter with Gorsuch is the use of "checksum." However, the use of checksum is old and well-known in the art as a simple error detection scheme in which each transmitted message is accompanied by a numerical value based on the number of set set bits in the message. The receiving station then applies the same formula to the message and checks to make sure the accompanying numerical value is the same. If not, the receiver can assume that the message has been garbled. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a checksum in "first format data" and "second format data", since the use of checksum in network environment is old and well-known as evidenced from "The Ethernet Level" cited below as relevant art; and using checksum in Gorsuch only involves ordinary skill in the art.

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"The Ethernet Level", "Ethernet Local Area Networks", "PC Card Technology Primer" by PCMCIA.ORG, and "Detailed Overview of the PC Card Standard by PCMCIA.ORG" are cited as relevant art.

U.S. Patent Publication No. US2004/0059837 to Volpano, filed 4/17/2001, of particular interest, is cited.

Informal Issue:

In claim 1, line 4, the word "seperably" appears to be a typing error. Correction is required.

Any inquiry concerning this communication should be directed to Khanh Dang at telephone number 703-308-0211.



Khanh Dang
Primary Examiner